

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DZHOKHAR A. TSARNAEV,  
Defendant

Crim. No.13-10200-GAO

**GOVERNMENT'S MOTION FOR LEAVE TO FILE PRELIMINARY  
WITNESS AND EXHIBIT LISTS ONE DAY LATE AND UNDER SEAL**

The United States, by and through its undersigned counsel, respectfully moves this Court for permission to file its Preliminary Witness and Exhibit lists on December 16, 2014 -- one day late -- and under seal.

As grounds for this motion, the government states that the preliminary witness and exhibit lists were, in fact, delivered to the defense on December 15, 2014, in accordance with the filing deadline established by the Court on October 20, 2014. However, due to the large volume of material involved in the production, the government was unable to deliver the documents to the Clerk's Office prior to its closing. The government therefore requests permission to file on December 16, 2014.

The government also requests leave to file the preliminary Witness and Exhibit lists under seal. As grounds for this request, the government states that sealing is necessary in order to protect the privacy of the proposed witnesses and to avoid unnecessary speculation and public comment regarding the nature of any proposed exhibits prior to jury selection.

Respectfully submitted,

CARMEN M. ORITZ  
United States Attorney

By: /s/ Nadine Pellegrini  
ALOE S. CHAKRAVARTY  
WILLIAM D. WEINREB  
NADINE PELLEGRINI  
Assistant U.S. Attorney

Date: December 16, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/Nadine Pellegrini  
Nadine Pellegrini  
Assistant U.S. Attorney

Date: December 16, 2014